

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

IN RE: FTX CRYPTOCURRENCY  
EXCHANGE COLLAPSE LITIGATION

Case No. 1:23-md-03076-KMM

MDL No. 3076

This Document Relates To:

*Garrison v. Bankman-Fried,*  
No. 22-cv-23753-KMM

*Garrison v. Paffrath,*  
No. 1:23-cv-21023-KMM

*Norris v. Brady,*  
No. 23-cv-20439-KMM

*Podalsky v. Bankman-Fried*  
No. 1:22-cv-23983-KMM

*Garrison v. Golden State Warriors,*  
No. 1:23-cv-23084-KMM

*Lam v. Bankman-Fried,*  
No. 1:23-cv-22195-KMM

*Garrison v. Osaka,*  
No. 1:23-cv-23064-KMM

*Garrison et al. v. Furia Esports LLC et al.,*  
No. 1:24-cv-20895-RS

*Garrison et al. v. Lincoln Holdings LLC,*  
No. 1:24-cv-00655-JMC

*Garrison et al. v. Mercedes-Benz Grand Prix  
Limited (d/b/a Mercedes-AMG Petronas  
Formula One Team),*  
No. 1:23-cv-24480-JEM

*Garrison v. Office of The Commissioner of  
Baseball d/b/a Major League Baseball,*  
No. 1:23-cv-24479-KMM

*Garrison v. Riot Games, Inc.*,  
No. 1:24-cv-21296-KMM

*Garrison v. Wasserman Media Group, LLC  
and Dentsu McGarry Bowen LLC*,  
No. 23-cv-24478-KMM

**DEFENDANT STEPHEN CURRY’S INDIVIDUAL BRIEF IN SUPPORT OF MOTION  
TO DISMISS PLAINTIFFS’ AMENDED CLASS ACTION COMPLAINT**

**I. INTRODUCTION**

Pursuant to the Court’s Order on June 17, 2025, ECF 933, this brief raises an argument specific to Defendant Stephen Curry. In addition to the reasons set forth in the Sports & Entertainment Defendants’ omnibus Motion to Dismiss (the “Omnibus Motion”) (which Curry has joined), Plaintiffs’ Amended Class Action Complaint (the “Complaint”), ECF No. 908, should be dismissed against Curry for the additional reasons set forth herein.

**II. PLAINTIFFS’ CALIFORNIA SECURITIES CLAIM FAILS TO PLEAD FACTS  
DEMONSTRATING THAT CURRY HAD ACTUAL KNOWLEDGE OF ANY  
UNREGISTERED SECURITIES FOR SALE**

As the Omnibus Motion demonstrates, the Court already held that Plaintiffs did not adequately allege an intent to defraud because the Complaint does not contain any allegations that “demonstrate that Defendants had any knowledge of FTX’s fraud.” Order at 21. Plaintiffs’ new allegations merely rehash their deficient allegations and innuendo that the S&E Defendants had constructive knowledge based on purported “red flags.” The Court specifically rejected these “red flag” allegations, holding that even allegations which show that “Defendants were uninformed, negligent, or even reckless,” do not state a claim because they do not “demonstrate that Defendants had any knowledge of FTX’s fraud.” *Id.*

In addition to the pleading deficiencies addressed in the Omnibus Motion, Plaintiffs have added an allegation against Curry that is equally speculative and inadequate. Plaintiffs refer vaguely to unspecified “NBA requirements that NBA teams ensure regulatory compliance regarding sponsorships and crypto products” in their allegations against Curry (and other defendants, including Haslem and the Golden State Warriors). FAC ¶¶ 548, 621, 651. On the basis of this allegation, Plaintiffs appear to speculate that Curry engaged in purported due diligence (into what exactly is not clear). This allegation does not have a shred of factual support and does not demonstrate any actual knowledge of fraud. Plaintiffs do not explain how supposed “NBA requirements for NBA teams” could possibly raise an inference of scienter for Curry, who is an individual, not a team. Plaintiffs do not allege any specific facts concerning any purported due diligence, let alone any diligence findings that would provide knowledge of the sale of unregistered securities. Accordingly, for this additional reason, the California Securities Act claim against Curry must be dismissed.

Dated: July 27, 2025

Respectfully submitted,

By: /s/ Nathan Bull

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 27, 2025, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court, by using the CM/ECF system, causing a true and correct copy to be served on all counsel of record.

By: /s/ Nathan Bull